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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,017	10/01/2003	Kenji Kataoka	16869P-095500US	9222
20350 7590 10/29/2007 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER TARAE, CATHERINE MICHELLE	
			ART UNIT 3623	PAPER NUMBER
			MAIL DATE 10/29/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/678,017	Applicant(s) KATAOKA ET AL.	
	Examiner C. Michelle Tarae	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/14/04, 4/2/07</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a Non-Final Office Action in response to the communication received on October 1, 2003. Claims 1-9 are now pending in this application.

Information Disclosure Statement

2. The examiner has reviewed the patents and publications supplied in the Information Disclosure Statements (IDS) provided on October 14, 2004 and April 2, 2007.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Sisley et al. (U.S. 5,467,268).

As per claim 1, Sisley et al. discloses an engineer assignment method for selecting an engineer who processes an incident occurring in a target to be processed, comprising:

transmitting a process request to a management device from the target to be processed (col. 6, lines 6-10; A call set is a customer service call requesting repair service of a machine.);

managing information referenced by a predetermined rule used for selecting an engineer using the management device (col. 5, line 65-col. 6, line 5; A technician set includes a set of skills for each technician indicating particular machines the technician is qualified to repair as well as a location in which the technician operates. All of this data is used for selecting a technician.); and

selecting, in response to the process request, the engineer in accordance with the predetermined rule, wherein the predetermined rule refers to location information on engineer candidates, on the target to be processed that transmits the process request, and on an object required for the process request (col. 6, lines 18-26; An assignment set is used to select a technician in response to a service request.).

As per claim 4, Sisley et al. discloses the method of claim 1, further comprising repeatedly obtaining location information on the target to be processed or location information on the object when the target to be processed or the object move using the management device (col. 7, lines 39-45; Data on technicians and service calls is continuously updated.).

As per claim 5, Sisley et al. discloses the method of claim 1, wherein the predetermined rule refers to a process status representing whether the engineer candidates are on standby (col. 6, lines 1-5; Technician schedules/availability are tracked, where the technician assignment rules uses such data to assign technicians to service calls.).

As per claim 6, Sisley et al. discloses the method of claim 1, wherein the predetermined rule refers also to a prediction time of process completion by an engineer who is processing another incident (col. 6, lines 6-26; col. 21, lines 38-46).

As per claim 7, Sisley et al. discloses the method of claim 1 wherein:
the predetermined rule refers to location information on engineer candidates and location information on a target to be processed to cause the management device to select at least one engineer (col. 6, lines 6-26).

As per claim 8, Sisley et al. discloses the method of claim 1 wherein:
the predetermined rule refers to location information on the selected engineer and location information on the object to cause the management device to select further at least one engineer (col. 6, lines 6-26).

As per claim 9, Sisley et al. discloses the method of claim 1, wherein the management device manages process history of engineer candidates, and wherein the method further comprising:

referring to the process histories of the engineer candidates to judge whether information used for the selected engineer to process the incident is necessary, and transmitting the information used to process the incident to the selected engineer when the information is necessary (col. 20, lines 19-45; col. 21, line 65-col. 22, line 3; Figures 9-10; The scheduler module is constantly invoked by the assigner module to evaluate technician assignments (i.e., process histories) in order to determine the best-fit match of technician to service call.).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sisley et al. (U.S. 5,467,268).

As per claim 2, Sisley et al. does not expressly disclose wherein the predetermined rule refers further to information on tools carried by the engineer candidates, and on a tool required to process the incident. However, Sisley et al. does disclose maintaining information on the skills of the technician where the information includes whether a technician is qualified to work on a certain machine (col. 5, line 65- col. 6, line 1). Examiner takes Official Notice that it is old and well known in the art that information concerning whether or not a technician is qualified to work on a certain machine includes whether or not the technician is knowledgeable about any tools necessary to work on the machine. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Sisley et al. to have the technician qualification information include whether a technician has the tools necessary to answer a service call because doing so provides further assurance as to the qualification of a technician, thereby ensuring that the most qualified technician is dispatched to the service call.

As per claim 3, Sisley et al. does not expressly disclose wherein information on a tool required to process the incident is contained in the process request. However, Sisley et al. does disclose maintaining information on the skills of the technician where the information includes whether a technician is qualified to work on a certain machine (col. 5, line 65-col. 6, line 1). Examiner takes Official Notice that it is old and well known in the art that information concerning whether or not a technician is qualified to work on a certain machine includes whether or not the technician is knowledgeable about any tools necessary to work on the machine. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Sisley et al. to have the technician qualification information include whether a technician has the tools necessary to answer a service call because doing so provides further assurance as to the qualification of a technician, thereby ensuring that the most qualified technician is dispatched to the service call.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Glovitz et al. (U.S. 5,682,421) discusses an automated dispatch system;
- Levine et al. (U.S. 7,283,971) discusses a system and method for managing mobile workers;
- Harrison et al. (U.S. 6,990,458) discusses a system and method for technician dispatch; and

- Walker et al. (U.S. 5,962,911) discusses resource allocation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


C. MICHELLE TARAE
PRIMARY EXAMINER

October 24, 2007